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Dear (b)(6)

This letter is in response to your October 10 and 14, 2010, correspondence you sent to the Family Policy Compliance Office (FPCO) in which you state that your rights under the Family Educational Rights and Privacy Act (FERPA) were violated when the educational agency or institution that your child or you attend failed to provide you copies of your education records. FPCO administers FERPA, which affords parents and eligible student certain rights with regard to education records.

FERPA is a Federal law that gives parents and eligible students the right to have access to their child's or their education records, the right to seek to have the records amended, and the right to consent to the disclosure of information from the records, except where permitted by law. The term "education records" means those records that are directly related to a student and maintained by an educational agency or institution or by a party acting for the agency or institution.

Under FERPA, a school is required to provide a parent or eligible student an opportunity to inspect and review the student's education records within 45 days of a request; however, a school is only required to provide copies of education records, or make other arrangements, if a failure to do so would effectively prevent the parent or eligible student from obtaining access to the records. A case in point would be a situation in which the parent or eligible student does not live within commuting distance of the school.

Our review of the information that you provided does not indicate that the school has denied you an opportunity to inspect and review your child's or your education records but, rather, has provided you with copies of those records, although it is was not required by FERPA to do so.

Enclosed for your reference is a fact sheet on FERPA. You may also find more information regarding FERPA on our website at: http://www2.ed.gov/policy/gen/guid/fpco.

Sincerely,

Bernard Cieplak
Program Analyst
Family Policy Compliance Office

Enclosure